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August 12, 2009

Ms. Deb Yamamoto
U.S. Environmental Protection Agency, Region 10
1200 Sixth Avenue, Suite 900
M/S ECL-115
Seattle, WA 98101-3140

**Subject: Port of Portland 104(e) Response: Proposed Schedule for
Remaining Submittals**

Dear Ms. Yamamoto:

On August 3, 2009, Port of Portland (Port) staff met with Kristine Koch and Lori Cora at the U.S. Environmental Protection Agency (EPA) Region 10 office in Seattle to discuss the Port's 104(e) work and its challenges in meeting the schedule for the remaining responses. The Port presented a few options for completing the remaining work, and the Port and EPA were able to come to general agreement on a revised schedule for our remaining 104(e) deliverables. This letter documents that agreement.

The Port and EPA discussed three main components of the 104(e) process: 1) a schedule and approach for submitting our remaining 104(e) deliverables; 2) a commitment by the Port to share key information about particular potentially responsible parties (PRPs) with EPA in a timely manner; and 3) the electronic format for responses and their supporting documents. The following summarizes the agreement we reached on these three elements.

1. Schedule and Approach: Of the Port's 16 104(e) responses, 13 responses have been submitted to date and 3 remain: the End of Swan Island Lagoon, the Terminal 4 Auto Storage Area, and the Evraz Oregon Steel Mills/Simplot sites. The Port will submit responses for the End of Swan Island Lagoon and the Terminal 4 Auto Storage Area by September 30, 2009. The Port will submit the response for the Evraz Oregon Steel Mills/Simplot sites by November 16, 2009. The Port will submit the backup documentation for these three responses two weeks subsequent to the response delivery to EPA (by October 14, 2009 and November 30, 2009, respectively). This will enable the Port to provide the backup materials electronically (see #3 below).

Pursuant to our EPA-approved schedule dated January 22, 2009, the Port submitted initial responses for Terminal 4 and the former Portland Shipyard on April 30, 2009 and June 30, 2009, respectively. In our August 3, 2009 meeting with EPA, the Port apprised EPA of the substantial volume of records that remain to be reviewed to complete the Terminal 4 and former Portland Shipyard responses. The volume of supporting records for these two sites warrants focused attention, and therefore they cannot be completed concurrent with the preparation and submittal of the 104(e) responses for the End of Swan Island Lagoon, the T4 Auto Storage Area, and the Evraz Oregon Steel Mills/Simplot sites. Thus, the Port will submit the finalized response for the former Portland Shipyard by March 17, 2010, and the finalized response for Terminal 4 by May 17, 2010, with submittal of the backup documentation two weeks following each (by March 30, 2010 and May 31, 2010, respectively).

2. Information Sharing: The Port understands EPA may have a need to access information related to the former Portland Shipyard or Terminal 4 prior to the submittal of the amended 104(e) responses and backup documentation. As discussed in our August 3, 2009 meeting, should EPA identify information important to its identification of other PRPs in Portland Harbor, the Port will prioritize getting the necessary documentation to EPA and will work closely with EPA to ensure its needs and objectives are met.
3. Electronic Submittal: EPA expressed a desire to have the Port's 104(e) responses and reference materials submitted in electronic format to reduce EPA's document processing time and ease the transition of the materials into its Superfund Document Management System (SDMS). Following discussion with our Records Analyst, the Port determined it can accommodate EPA's request and will provide the documents electronically, in lieu of paper format. As discussed during our follow-up meeting with Kristine Koch on August 5, 2009, the Port agrees to submit the remaining 104(e) responses and their respective backup documentation as follows:
 - Documents will be scanned into and/or converted into portable document format (PDF) files and made text-searchable, where applicable;
 - Documents will be grouped into folders;
 - Documents that are related will be combined into single PDFs, not to exceed 1,000 pages;
 - Large, distinct reports will be contained in a single PDF where possible; and
 - A simple index with the file names and corresponding bates ranges will be provided.

The Port appreciates EPA's understanding of our resource constraints as a public entity and the complexity of submitting numerous 104(e) responses concurrent with the continued heavy workload and demands associated with the Portland Harbor Superfund Site. In turn, the Port understands EPA's need to gather the 104(e) information in a timely manner sufficient to meet the Agency's objectives. The Port feels the agreement presented in this letter is a prudent approach that will help us meet our mutual goals and objectives. Please let me know if this summary of our agreement is consistent with your understanding, and feel free to call me at (503) 944-7325 if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jim McKenna', with a stylized, flowing script.

Jim McKenna
Superfund Program Manager

c: Lori Cora, EPA
Elizabeth McKenna, EPA
Kristine Koch, EPA
David Ashton, Port
Tom Imeson, Port
Carla Kelley, Port
Sara Moore, Port
LWP File